

4/7/2005

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PETITION AGAINST REZONING - C14-05-0003

We, the undersigned property owners, residents and stakeholders of the East Riverside/Oltorf Combined Neighborhood Area do hereby protest the Notice of Filing of Application for Rezoning, File Number C14-05-0003 and protest any change of the Land Development Code which would zone this property at 5701 Riverside Dr. to any classification other than LO. Reasons for opposing this request include:

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1. Extensive work and research has been conducted to develop a neighborhood plan reflecting the views of majority stakeholders, and city planners since October of 2003.

During this step by step process the forum has consistently concluded that the best zoning classification for this tract is the currently zoned category, LO (light office). Neither the representing agent or landowner(s) have attended planning meetings to effectively present or collect any information as to the nature of the neighborhood plan, its goals, or its potentials until this filing for a zoning change. Likewise, the neighborhood planning advisory committee had not received any information regarding the nature of development plans until the filing for this particular zoning change. The planning forum sees vast potential for this tract in its current category of Light Office contrary to the filing for a zoning change on the grounds that there is an offer from Goodwill on the table that needs a convenient zoning change. The proposed zoning change requires the neighborhood to modify its pathology and its plan for the future beyond what it considers a comfortable compromise.

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2. This tract is located directly across from single family homes and just east of single family homes on Riverside Dr. Overwhelmingly, the advisory committees and planners were told by the neighborhood what a valuable and rare commodity this particular zoning classification offers and require that the neighborhood plan reflect this by encouraging more owner-occupied residential areas (increase the tax base) and preserve, bolster and connect the few single family areas that remain. Basic land use principles teach us that intense commercial uses near residential areas should be discouraged. The representing agent has not illustrated any substantial incentive or insight for the community to be convinced that a zoning change should be considered, aside from a comment from Jim Bennett stating that "there is just not a lot of demand for Office these days". (period)

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2. These tracts are adjacent to Baty Elementary School. † Del Valle officials chose this site because it is surrounded by single family homes, office, and is set back safely away from Riverside Drive providing exemplary traffic flow for a primary level campus. † These uses are appropriate for property near an elementary school. † The property owned by Tokyo Electron adjacent to the tract in question is used for "campus-style" administrative offices. It is a perfect example of how

the type of zoning like Light Office can work effectively for the neighborhood plan and the City of

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Austin without jeopardizing neighboring uses and their future potentials.

The proposed zoning change to enable a development for a Goodwill Shipping and Receiving Warehouse and Retail Store has not demonstrated its ability to interface or compliment the Riverside Dr. combined neighborhood plan, this tract's adjacent civic institutions, businesses and residents. Therefore, we the undersigned oppose the consideration to change zoning classification for this tract.

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